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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

C&C JEWELRY MANUFACTURING,
INC., a California corporation,

Plaintiff and Counter-
Defendant,

v.

TRENT WEST,

Defendant and Counter-
Claimant.

Case No. 5:09-cv-01303-JF-HRL

**JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING (1) DEADLINE
FOR C&C JEWELRY
MANUFACTURING, INC. TO RESPOND
TO TRENT WEST'S MOTION FOR
SUMMARY JUDGMENT OF
INFRINGEMENT, AND TRENT WEST'S
MOTION FOR PRESUMPTION AND
BURDEN SHIFTING AND (2) DEADLINE
FOR PARTIES TO FILE DISPOSITIVE
MOTIONS**

Judge: Honorable Jeremy Fogel

1 Plaintiff C&C Jewelry Mfg., Inc. ("C&C") and Defendant Trent West ("West"), by and
 2 through their undersigned counsel of record, have agreed and stipulate under Civil L.R. 6-2(a) to
 3 extend (1) C&C's deadline to respond to West's motion for summary judgment of infringement
 4 and motion for presumption and burden shifting, both filed on June 17, 2011 (collectively the
 5 "Motions") and (2) the deadline to file dispositive motions.

6 Pursuant to Civil L.R. 7-3(a), C&C's deadline to respond to the Motions is currently July
 7 1, 2011, which is the same day as the current deadline by which the parties are required to file
 8 dispositive motions. C&C and West enter into this stipulation to extend the time for C&C to file
 9 its responses to the Motions by one week to July 8, 2011. Given that the hearing has been
 10 noticed for July 29, 2011, the stipulated schedule would complete briefing on these motions two-
 11 weeks prior to the hearing.

12 The parties also enter into this stipulation to extend the time that C&C and West have to
 13 file dispositive motions by one week to July 8, 2011.

14 The Declaration of Eric C. Wood, which is filed herewith, provides the Court with the
 15 information required under Civil L.R. 6-2(a).

16 Accordingly, C&C and West respectfully request that the Court issue an Order, for good
 17 cause shown, extending C&C's deadline to respond to the Motions and the parties' deadline to
 18 file dispositive motions as requested above.

19 Respectfully stipulated to by:

20
 21 SCHEEF & STONE, LLP

KING & KELLEHER, LLP

22
 23 By: /s/ Eric C. Wood
 Eric C. Wood

By: /s/ Edward Vincent King
 Edward Vincent King

24 Attorneys for Plaintiff C&C Jewelry Mfg.,
 25 Inc.

Attorneys for Defendant Trent
 West

26 Date: June 28, 2011

Date: June 28, 2011

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X (B) regarding signatures, I, John Fischer,
attest that concurrence in the filing of this document has been obtained.

SCHEEF & STONE, LLP

By: /s/ John G. Fischer
John G. Fischer

Attorneys for Plaintiff C&C Jewelry Mfg.,
Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 7/7, 2011.



Hon. Jeremy Fogel
United States District Judge

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TRENT WEST,

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Case No. 5:09-cv-01303-JF-HRL

**DECLARATION OF ERIC C. WOOD IN
SUPPORT OF JOINT STIPULATION
EXTENDING (1) DEADLINE FOR C&C
JEWELRY MANUFACTURING, INC. TO
RESPOND TO TRENT WEST'S MOTION
FOR SUMMARY JUDGMENT OF
INFRINGEMENT, AND TRENT WEST'S
MOTION FOR PRESUMPTION AND
BURDEN SHIFTING AND (2) DEADLINE
FOR PARTIES TO FILE DISPOSITIVE
MOTIONS**

Judge: Honorable Jeremy Fogel

1
2 I, Eric C. Wood, declare:

3 1. I am an attorney with Scheef & Stone, LLP, counsel for Plaintiff C&C Jewelry
4 Mfg., Inc. ("C&C") in this action. I make this declaration on personal knowledge and am
5 competent to testify regarding the facts stated herein. This declaration is submitted pursuant to
6 Civil L.R. 6-2(a).

7 2. In the Stipulation filed herewith, C&C and Defendant Trent West ("West") have
8 requested that the Court extend the deadline for C&C to respond to West's motion for summary
9 judgment of infringement and motion for presumption and burden shifting (collectively the
10 "Motions") by one week to July 8, 2011. West filed the Motions on Friday, June 17, 2011.
11 C&C's response is therefore currently due on July 1, 2011 pursuant to the Local Rules of this
12 Court.

13 3. In the Stipulation filed herewith, C&C and Defendant Trent West ("West") also
14 have requested that the Court extend the deadline for filing dispositive motions by one week to
15 July 8, 2011. The parties' motions were previously due on July 1, 2011.

16 4. Expert reports in this case were due and were served by the parties on May 20,
17 2011. Expert rebuttal reports in this case were due and were served by the parties on June 10,
18 2011. The deadline to conduct all expert discovery (including depositions) is July 1, 2011.

19 5. On the Tuesday immediately following the filing of the Motions, the parties
20 began taking the depositions of the experts who had provided reports in this case in advance of
21 the July 1 expert discovery cutoff. Through the last two weeks of June, the parties will have
22 taken approximately eight expert depositions all across the United States (in San Francisco,
23 Chicago and New York) up until and including July 1, 2011. It will therefore be very difficult,
24 given this hectic expert deposition schedule, for the parties to complete their motions for
25 summary judgment and for C&C to prepare responses to the Motions by July 1, 2011.

26 6. Therefore, C&C and West have agreed, and so stipulate, that C&C's deadline to
27 respond to the Motions and the parties' deadline to file dispositive motions shall be extended by
28 one week to July 8, 2011.

